IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 81458-M of 2006

DATE OF DECISION : 29.01.2007

Gurbachan Kaur

.... PETITIONER

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. S.S. Rangi, Advocate,
for the petitioner.

Mr. A.K. Rathee, AAG, Haryana.

Mr. Saurabh Bajaj, Advocate,
for the complainant.

Petitioner Gurbachan Kaur, apprehending her arrest in a non-bailable offence in case FIR No. 389 dated 3.10.2006 under Sections 406, 498-A, 323, 506, 120-B IPC, registered at Police Station Pehowa, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 11.12.2006, passed by Sessions Judge, Kurukshetra, whereby bail application of the petitioner has been dismissed.

While issuing notice of motion on December 23, 2006, interim anticipatory bail was granted to the petitioner subject to her joining investigation.

Counsel for the petitioner contends that the petitioner, who is 75 years old widow mother-in-law of the complainant. is living separately. The marriage of the complainant with son of the petitioner was solemnized

in the year 1997. Counsel further contends that a similar complaint made by the complainant to the police, in which during investigation, the allegations against the petitioner were found to be false. It was found that Darshan Singh, husband of the complainant, is in the habit of intoxication and do not work and provide maintenance to the complainant. Counsel further contends that the husband of the complainant is in custody.

Counsel for the petitioner further states that in terms of the interim order dated December 23, 2006, the petitioner has joined the investigation. The State counsel does not dispute this fact and further states that the petitioner is no more required for further investigation.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated December 23, 2006, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

January 29, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**